

YOUTH SERVICES POLICY

Title: Receipt, Security and Disbursement of Funds Collected from Youth - Supervision Fees and Restitution Next Annual Review Date: 07/15/2016	Type: D. Community Based Services Sub Type: 10. Supervision Number: D.10.5
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References: La. R.S. 15:921, La. Children's Code, Arts. 781.1, 897 B, 899 B; and ACA Standards 2-7065, 2-7142 (Juvenile Probation and Aftercare Services), 2-CO-1B-06 (Administration of Correctional Agencies); YS Policy No. A.3.8 "Budget and Fiscal Management Activities"	
STATUS: Approved	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 07/15/2015

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish policy and broad procedures regarding processes for documentation of collection and/or disbursement of court ordered supervision fees and restitution.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Undersecretary, Chief of Operations, Regional Directors, Regional Managers, and Probation and Parole Officers/Juvenile (PPO/J).

IV. DEFINITIONS:

Department of Public Safety/Public Safety Services/Office of Management and Finance (PPS/OMF), Collections Unit – The designated agency department charged with handling the collection and processing of supervision fees.

Juvenile Electronic Tracking System (JETS) - The centralized database used to track all youth under OJJ supervision or custody, and to record youth case record activity.

Probation and Parole Service Coordinator - Service Coordinators assist youth and families in locating, accessing and coordinating networks of support to address needs.

Restitution - A legal action of repayment or compensation to a victim.

Supervision Fee - Fee ordered by the court to be paid to OJJ by the youth and their parent/guardian.

V. POLICY:

It is the Deputy Secretary's policy to account for the receipt, security and disbursement of funds collected from youth in keeping with sound accounting procedures and in accordance with State law and YS Policy No. A.3.8.

The court shall be encouraged to impose a fee for supervision of youth on probation, based on the parent's ability to pay. The amount of the fee may range from \$10.00 to \$100.00 per month, as determined by the court. The Probation Order and/or the Conditions of Supervision must specify the amount of supervision fee ordered.

VI. PROCEDURES:

A. Because a court may order OJJ to collect/receive and disburse restitution, fines, court costs and other types of payments from youth and parents, Regional Managers shall ensure that the following control specifications are consistent:

1. Method by which the payments are collected or received;
2. Who is authorized to accept payment(s);
3. Acceptable payment type (certified funds only);
4. Security arrangements for the funds (including those received outside the office);
5. Disbursement of the funds to the payee via the district attorney's office after the payment has been recorded in the Juvenile Electronic Tracking System (JETS) by the regional office; and
6. Accounting and record keeping system for all payments received and disbursed.

The Court shall be made aware of all payments received for the purpose of restitution, fines, court costs and any other types of payments from youth/parent/guardian as a result of a collection by YS due to a court order.

B. The Probation Order and/or the Conditions of Supervision, ordered by the court and signed by the youth, parent/guardian and PPO/J, must specify the supervision fee amount ordered to be paid by the youth/parent/guardian. The youth and parent/guardian must also sign an "Agreement of Payment of Supervision Fees" form located in the JETS.

The agreement shall be signed at intake for new cases or within 14 days following the court's order to pay on subsequent adjudications on all other cases. In the event the youth and/or parent/guardian refuse to sign the agreement, the court shall be notified immediately. Supervision fees are due from the parent/guardian on the first of each month, beginning the month after the fees were ordered. Self addressed envelopes, including the PSS/OMF Collections Unit address, shall be provided to the parent/guardian at intake or when requested by the parent/guardian.

- C. The PPO/J shall create and enter the information in the payment screen in JETS. The PPO/J shall send the Probation Order and "Agreement of Payment of Supervision Fees" to the PSS/OMF Collections Unit. All payments of supervision fees ordered by the court shall be made directly to the PSS/OMF Collections Unit in the form of money orders or cashier checks. The name of the youth and client identification number must be clearly noted on the check or money order. Cash or altered money orders shall not be accepted.
- D. Supervision fee payments delivered to the Regional Office shall be forwarded to PSS/OMF Collections Unit no later than the next business day. All payments retained overnight shall be secured in a locked location designated by the Regional Manager.
- E. When the assigned PPO/J has been notified of a delinquent account, the PPO/J shall contact the family regarding the delinquent payment. If the family's financial status has changed and they are no longer able to pay the fee, the PPO/J with approval from his/her supervisor, will notify the court and request a modification. If the family has the ability to pay they should be reminded that they can be held in contempt of court for refusing to pay the fee. The court will determine any action to be taken. The court may suspend payment originally ordered.
- F. The PPO/J is responsible for keeping the PSS/OMF Collections Unit advised of any changes in the youth's obligation to pay supervision fees. The assigned PPO/J shall be responsible for monitoring the payments and advising the court of any non-compliance.
- G. Supervision fees shall be suspended once a youth is placed in OJJ custody and has been entered in the JETS system as a pending secure or non-secure case. The PPO/J shall complete and submit the "Supervision Discontinue Letter" located in JETS to the PSS/OMF Collections Unit no later than 14 days following a placement in YS custody.
- H. Youth whose supervision is transferred to other states under terms of the Interstate Compact for Juveniles must continue to pay any court ordered fee unless the court suspends the obligation to pay. The receiving state will not be required to collect supervision fees from Louisiana youth, but will urge the youth to make payments directly to Louisiana and will honor warrants should the youth fail to pay.

Reciprocally, Louisiana will follow same procedures in regard to youth supervised in out-of-state for sending states.

- I. At the end of each calendar year, JETS information from any accounts with outstanding balances due (supervision fees, secure care assessments, and non-secure care assessments only) will be forwarded to the La. Department of Revenue (LDR), as of the date of submission, for collection purposes. The names listed as "Guardian" on the outstanding JETS accounts will have the past due amount flagged within the LDR system to be garnished from their LA state tax refunds.

Previous Regulation/Policy Number: D.10.5
Previous Effective Date: 09/05/2014
Attachments/References: